

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS (37 CFR 1.9(f) AND 1.27 (d)) - NONPROFIT ORGANIZATION

Docket No.
113.1004

Serial No. To Be Assigned	Filing Date January 7, 2000	Patent No. Not Yet Assigned	Issue Date Not Yet Issued
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Applicant/

Patentee: Michael HAUSMANN, et al.

JUN 19 2000

Invention: **WAVE FIELD MICROSCOPE, METHOD FOR A WAVE FIELD MICROSCOPE, INCLUDING FOR SEQUENCING; AND CALIBRATION METHOD FOR WAVE FIELD MICROSCOPY**

I hereby declare that I am an official empowered to act on behalf of the nonprofit organization identified below:

NAME OF ORGANIZATION: Ruprecht-Karls-Universitat HeidelbergADDRESS OF ORGANIZATION: Seminarstrasse 2, D-69117
Heidelberg, Germany

TYPE OF NONPROFIT ORGANIZATION:

- University or other Institute of Higher Education
- Tax Exempt under Internal Revenue Service Code (26 U.S.C. 501(a) and 501(c)(3))
- Nonprofit Scientific or Educational under Statute of State of The United States of America
 - Name of State:
 - Citation of Statute:
- Would Qualify as Tax Exempt under Internal Revenue Service Code (26 U.S.C. 501(a) and 501(c)(3)) if Located in The United States of America
- Would Qualify as Nonprofit Scientific or Educational under Statute of State of The United States of America if Located in The United States of America
 - Name of State:
 - Citation of Statute:

I hereby declare that the above-identified nonprofit organization qualifies as a nonprofit organization as defined in 37 C.F.R. 1.9(e) for purposes of paying reduced fees to the United States Patent and Trademark Office regarding the invention described in:

- the specification to be filed herewith.
- the application identified above.
- the patent identified above.

I hereby declare that rights under contract or law have been conveyed to and remain with the nonprofit organization with regard to the above identified invention.

If the rights held by the above-identified nonprofit organization are not exclusive, each individual, concern or organization having rights to the invention is listed on the next page and no rights to the invention are held by any person, other than the inventor, who could not qualify as an independent inventor under 37 CFR 1.9(c) or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

Each person, concern or organization to which I have assigned, granted, conveyed, or licensed or am under an obligation under contract or law to assign, grant, convey, or license any rights in the invention is listed below:

- no such person, concern or organization exists.
- each such person, concern or organization is listed below.

FULL NAME _____

ADDRESS _____

Individual Small Business Concern Nonprofit Organization

FULL NAME _____

ADDRESS _____

Individual Small Business Concern Nonprofit Organization

FULL NAME _____

ADDRESS _____

Individual Small Business Concern Nonprofit Organization

FULL NAME _____

ADDRESS _____

Individual Small Business Concern Nonprofit Organization

Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING: Romana Gräfin vom Hagen

TITLE IN ORGANIZATION: Kanzlerin

ADDRESS OF PERSON SIGNING: Universität Heidelberg, Seminarstr. 2
69117 Heidelberg

SIGNATURE:  DATE: 2. Februar 2000



Docket No.: 113.1004

DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: **WAVE FIELD MICROSCOPE, METHOD FOR A WAVE FIELD MICROSCOPE, INCLUDING FOR DNA SEQUENCING, AND CALIBRATION METHOD FOR WAVE FIELD MICROSCOPY**; the specification of which (check one)

is attached hereto

was filed on 9 July 1998 as International Application Serial No. PCT/DE98/01908
and was amended on _____ (if applicable).

I hereby authorize and request our attorney, Davidson, Davidson & Kappel, LLC., of 1140 Avenue of the Americas, New York, New York 10036 to insert here in parentheses (Application number _____, filed _____, the filing date and application number of said application when known).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose all information which is known to me to be material to the patentability of this application as defined in Title 37, Code of Federal Regulations, §1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign and/or provisional application(s) for patent or inventor's certificate listed below and have also identified below any foreign and/or provisional application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed.

PRIOR APPLICATION(S)	(Number)	(Country)	(Day/Month/Year Filed)	Priority claimed <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
197 29 512.6		Germany	10 July 1997	

(Number)	(Country)	(Day/Month/Year Filed)	Yes <input type="checkbox"/> No
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I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

(Application Serial Number)	(Filing Date)	(Status) (patented, pending, abandoned)
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(Application Serial Number)	(Filing Date)	(Status) (patented, pending, abandoned)
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And I hereby appoint Clifford M. Davidson, Registration No. 32,728, Leslie B. Davidson, Registration No. 38,854, Cary S. Kappel, Registration No. 36,561, William C. Gehris, Registration No. 38,156, Julie L. Bowker, Registration No. 37,870, Robert J. Paradiso, Registration No. 41,240, Jane E. Alexander, Registration No. 36,014, Scott L. Appelbaum, Registration No. 41,587, and Marc D Baker, Registration No. 44,017, my attorneys, with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith; correspondence address: DAVIDSON, DAVIDSON & KAPPEL, LLC, 1140 Avenue of the Americas, 15th Floor, New York, New York 10036; Telephone: (212) 997-1028; Fax: (212) 997-1037

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

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